



# Benicar Side Effects and Lawsuits FAQ



## Free Case Review

Lieff Cabraser represents persons across America injured by prescription drugs with dangerous side effects, including Benicar. To contact an experienced injury attorney for a free case evaluation, please call us toll-free at [1-800-541-7358](tel:1-800-541-7358) and ask to speak to attorney Lexi Hazam or visit [www.lieffcabraser.com/benicar](http://www.lieffcabraser.com/benicar).

## Frequently Asked Questions about Benicar Side Effects and Lawsuits

Lieff Cabraser Heimann & Bernstein, LLP, has successfully represented thousands of persons across America in individual personal injury lawsuits, including patients who suffered serious complications from dangerous prescription drugs. With offices in San Francisco, New York, and Nashville, we bring the legal and financial resources of a national law firm to obtaining justice for our clients.

### What is Benicar?

Benicar is the brand name for the prescription drug olmesartan, a medication used to reduce blood pressure and hypertension (chronic high blood pressure). Olmesartan is also contained in similar drugs sold under the names of Benicar HCT, Tribenzor and Azor. All of these drugs are made by the Japanese company Daiichi Sankyo, and some were co-promoted in the U.S. by Forest Laboratories.

### Has Benicar been widely prescribed?

Yes. According to the U.S. Food and Drug Administration, over ten million Benicar prescriptions were made to approximately two million patients in the U.S. in 2012.

### What are the Benicar side effects?

Patients taking Benicar under the recommended dosage have experienced major complications, including:

- severe, chronic diarrhea and vomiting with substantial weight loss;
- sprue-like enteropathy;
- villous atrophy; and
- lymphocytic, collagenous and/or microscopic colitis.

Sprue-like enteropathy and villous atrophy are both conditions involving destruction of the intestinal lining that are characterized by severe, chronic diarrhea, malabsorption/malnutrition, and substantial weight loss. These conditions often result in repeat hospitalizations and in some cases cause secondary



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Newsletter from the national law firm of LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

complications such as renal failure, anemia, and osteoporosis. The conditions can develop months to years after starting Benicar use. Patients with Benicar-induced gastrointestinal problems are often misdiagnosed with celiac disease.



## Has Benicar been recalled?

No. However, in July 2013, the FDA required the addition of warnings regarding the risk of sprue-like enteropathy and villous atrophy to the drug labels of Benicar, Benicar HCT, Tribenzor, and Azor.

## What do the Benicar lawsuits charge?

Benicar patients represented by Lieff Cabraser charge that olmesartan is a defective and unreasonably dangerous

drug and caused the injuries that they suffered.

The lawsuits specifically charge that Daiichi Sankyo and Forest Laboratories promoted Benicar, Benicar HCT, Tribenzor, and Azor as safe and effective for the treatment of hypertension and other medical conditions without sufficiently testing the prescription drugs or providing adequate instructions and warnings to apprise physicians and patients of the increased risks associated with the drugs.

Furthermore, Daiichi Sankyo and Forest Laboratories were allegedly aware that long-term use of Benicar was likely to cause severe gastrointestinal injuries, sprue-like enteropathy, villous atrophy, and other serious and, in some cases, life-threatening diseases.

## What are the legal duties that prescription drug makers owe to patients?

Under the law, pharmaceutical companies must only sell drugs that are effective and do not expose patients to risks exceeding the benefits of the drug. These companies must also adequately test their drugs prior to introducing them to the market and warn patients and doctors of all serious side effects.

The law in most states provides several personal injury claims for persons who have been seriously injured by a prescription drug with dangerous and undisclosed side effects. These claims often include strict liability for

a defective product, strict liability for a failure to warn, negligence, misrepresentation, fraud, breach of warranties, and unjust enrichment.

### **I believe I suffered an injury after taking Benicar. How quickly must I hire an attorney?**

If you or a loved one were just injured, you should not feel pressured to make an immediate decision about hiring an attorney. Focusing on restoring your health should take precedence over liability issues at this difficult time.

However, keep in mind that each state imposes a deadline for filing lawsuits. This deadline is known as the statute of limitations, which in certain states is one year from the date of the injury.

### **Will I have to pay a fee for your review of my case?**

No. We do not charge a fee to review your case. If we decide to represent you and you wish to retain Lief Cabraser as your law firm, we will discuss our contingency fees (calculated as a percentage of the recovery we obtain) and then provide a written contract to be agreed upon.

### **How long will a lawsuit take?**

We cannot give any guarantees about when your case will be resolved. First, we must undertake a thorough investigation of the facts of your case. In some instances, a case will settle to

our client's satisfaction shortly after it is filed, whereas in others it may take several years.

Rest assured, Lief Cabraser works swiftly and efficiently to obtain the maximum compensation for our clients and to bring each case to a successful conclusion. We do not charge our clients hourly fees and earn no compensation for ourselves until you receive your recovery.

### **How do I select an attorney to represent me?**

You should seek an attorney who has substantial experience in successfully handling similar cases. It is important to not only verify the reputation and experience of the law firm as a whole, but to be sure that your case will be handled by individuals with appropriate experience.

In suits involving dangerous pharmaceuticals, a case can be expensive to litigate and typically requires the hiring of experts to support your case. You should choose a law firm with substantial financial resources to conduct the case through trial and appeal, if necessary.

In the Benicar litigation, our firm possesses a leading role among other plaintiffs' law firms. Lief Cabraser partner Lexi Hazam has been appointed by the court overseeing Benicar lawsuits nationwide to the Plaintiffs' Steering Committee, and serves as Co-Chair of the Plaintiffs' Science and Experts Committee.

## **Our Promise to You**

- Our injury lawyers have successfully represented thousands of clients across America in personal injury cases involving dangerous prescription drugs. We provide each client with high-level individualized representation.
- There is no charge or obligation for our review of your injury lawsuit.
- We have retained product safety and medical experts nationwide to assist our clients with their claims.
- In addition to a team of experienced lawyers, we work with a team of dedicated nurses, researchers, legal assistants, and case clerks to assist our attorneys in the investigation and prosecution of each Benicar case. Our firm has five full-time nurses, including ones with decades of experience working with patients.

## Contact a Personal Injury Attorney

If you or a loved one have been injured by the Benicar side effects, please visit us at [www.lieffcabraser.com/benicar](http://www.lieffcabraser.com/benicar) or call us toll-free at 1-800-541-7358 and ask to speak to attorney Lexi Hazam.

Our personal injury attorneys and legal nurse consultants will promptly review your case for no charge and with no obligation on your part.

**Lieff  
Cabrer  
Heimann &  
Bernstein**  
Attorneys at Law



She has also spoken at several legal conferences on Benicar injuries and Benicar lawsuits.

### What recovery will I receive?

In most jurisdictions, if you suffered a personal injury and the defendant is found liable, the defendant is responsible for paying for your medical care, both past and expected, your past and future lost earnings, and an amount to compensate you for pain and suffering, mental anguish, and physical impairment.

If the conduct that caused the injury was egregious, you may also be entitled to an award of punitive damages in certain states.

In the case of a patient's death, the family of the victim may file a wrongful death action and seek damages.

### How will you handle my case?

If you agree to retain our firm, we will prosecute your case as a personal injury lawsuit. We will keep you regularly informed as to the status of your case. Our attorneys work as a team, sharing evidence and following a strategic plan for the litigation. In addition, we have multiple nurses, legal assistants, scientific analysts, and case clerks on staff to assist our attorneys, helping to gather the evidence necessary to prove your case and for you to obtain the full compensation you are entitled to under the law.

Finally, you possess the direction and control over the case. For example, if the defendants were to make an offer to settle your case, we will promptly inform you. We will advise whether or not you should accept the offer based on the law and facts of your case. The decision, however, will be yours alone to make.

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Disclaimer: This document is not intended to provide medical advice. Any questions specific to your health should be posed to your physician. The hiring of an attorney is an important decision that should not be based solely upon promotional materials. Before you decide to retain us, feel free to ask us any questions you may have concerning our qualifications and experience. Prior results do not guarantee a similar outcome.